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Suit Seeks Dismissal of Rankin Because of Conflict of Interest

By WALTER H. WAGGONER

Mayor Lindsay was ordered by a State Supreme Court justice yesterday to show cause why he should not dismiss Corporation Counsel J. Lee Rankin on the ground of conflict of interest.

A taxpayer's suit brought by Robert B. Blaikie, an insurance executive and former Democratic district leader on the West Side, charged that Mr. Rankin had violated provisions of the City Charter by engaging in the private practice of law while he was the city's chief law official at a salary of $41,000 a year.

The Mayor and Mr. Rankin were directed by Justice George Starke to appear in court at 60 Centre Street tomorrow to answer the show cause order.

A three-man committee of the Bar Association of the City of New York had said on March 17 that Mr. Rankin was not guilty of "unethical action." It added, however, that Mr. Rankin's private practice, while "not in conflict" with his city duties, was "inappropriate" to his role as the Corporation Counsel.

Activities Questioned

The committee said Mr. Rankin's outside practice did "indicate a departure from the standards of Section 1100 of the City Charter," which provides that any head of a city department, except for Councilmen, shall "give his whole time to his duties and shall not engage in any other occupation, profession or employment."

Mr. Rankin promptly announced that he was giving up outside law practice, from which he said he earned less than $1,500 in 1966, and having his name removed as a lawyer from the Manhattan telephone directory, his office door, and the directory of the building where his office is located at 36 West 44th Street.

Mr. Blaikie, a resident of 924 West End Avenue, with offices at 96 Fulton Street, complained that "even with the dubious exoneration by the Bar Association . . . the fact still remains that the chief of the Law Department of the City of New York has expressly violated an important law of this city."

Law Called Violated

"Obviously," according to Mr. Blaikie's affidavit supporting the show cause order, "the purpose of the law that was so violated was to insure that appointed officials like Rankin engage all of their time to their duties, and were not to engage in any other occupation."

The Blaikie complaint cited newspaper reports to the effect that Mr. Rankin contends that he had maintained a private law practice, although not with New York clients, because he saw no conflict of interest with his city position, and because, had he known of the city's prohibition against such activities, "he would not have accepted the appointment as Corporation Counsel."

He was appointed to the post by Mayor Lindsay in 1966 and serves at the Mayor's pleasure.

Mr. Blaikie is represented by H. Leonard King of 8 West 40th Street.